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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,614	07/16/2003	Toshimitsu Kaneko	240469US2SRD	6531

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
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EXAMINER

WIENER, ERIC A

ART UNIT	PAPER NUMBER
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2179

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

10/619,614

Applicant(s)

KANEKO ET AL.

Examiner

Eric A. Wiener

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/16/03, 2/18/04, 2/3/05, 7/24/06, 10/10/06.

DETAILED ACTION

1. Claims 1 – 25 have been presented for examination based on applicant's disclosure filed on 7/16/2003 and claiming the benefit of priority to the date 7/17/2002 from Japanese Patent Application No. 2002-208784. Claims 1 – 25 have been rejected by the examiner.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 25 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 25 is nonstatutory, because the claim does not fall into one of the statutory categories of patentable subject matter. The claim is directed to a hyper-media information-providing *program*. A program, per se, is merely an abstract idea, and does not produce a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. Although the program is claimed to be stored on a computer readable medium, the claim is nonetheless directed to the program itself, and not the computer readable medium. The examiner recommends that the applicant modify the claim to be directed to a computer readable storage medium storing said hyper-media information-providing program in order for the claim to be statutory under 35 U.S.C. 101. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 11 recites the limitation "the frames" in line 11. There is insufficient antecedent basis for this limitation in the claim. Therefore, claim 11 is rejected under the second paragraph of 35 U.S.C. 112.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 – 6, 9 – 11, 13 – 18, 21 – 23, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Osamu et al. (EP 1024667 A2).

As per independent claim 1, Osamu discloses a hyper-media information providing method comprising:

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and relevant information items concerning*

at least several of the object region information items ([0011] – [0012] and [0022]);

- *reconstructing at least several of the object regions corresponding to the object region information items and displaying the reconstructed object regions in list form ([0277] – [0278]);*
- *selecting at least one object region from the object regions displayed in list form and displaying one relevant information item of the relevant information items that concerns the object region selected ([0279]).*

As per claim 2, and taking into account the rejection of claim 1, Osamu further discloses *combining the selected object region with the relevant information item corresponding thereto and displaying a composite result of the selected object region and the corresponding relevant information item ([0242] and [0277] – [0278]), wherein it is obvious that the two regions could be displayed simultaneously and together.*

As per claim 3, and taking into account the rejection of claim 1, Osamu further discloses that *displaying the reconstructed object regions includes displaying the reconstructed object regions on a first window of a display unit and displaying the relevant information item includes displaying the relevant information item on a second window of the display unit ([0279]), wherein it has been interpreted that the enabling of the display of the related information would be through a second window of the display.*

As per claim 4, and taking into account the rejection of claim 3, Osamu further discloses that *displaying the reconstructed object regions includes displaying the reconstructed object regions corresponding to all object regions of the motion video on the first window ([0243]).*

As per independent claim 5, Osamu discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and relevant information items concerning at least several of the object region information items ([0011] – [0012] and [0022]);*
- *displaying the object regions and a pointer for specifying at least one of the object regions on a display unit and changing a display state of the object regions having the relevant information items according to a position of the pointer ([0283]).*

As per claim 6, and taking into account the rejection of claim 5, Osamu further discloses that *the changing includes displaying a display area other than the object regions having the relevant information items with the display state different from that of the object regions when the pointer is inside a window displayed on the display unit for displaying the motion video ([0262])*, wherein it is obvious that since the cursor position is able to control the changing of a display state pertaining to image motion, it could also control the changing of the display state of the different object regions.

As per independent claim 9, Osamu discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and relevant information items concerning at least several of the object regions ([0011] – [0012] and [0022]);*

- *displaying selectively a first list of objects obtained by reconstructing at least several of the object regions corresponding to the object region information items and a second list of the relevant information items of the object regions ([0275] and [0277] – [0278]), wherein it is obvious that the two regions could be displayed simultaneously and together;*
- *selecting one of the object regions from the first list or one of the relevant information items from the second list ([0276] and [0279]);*
- *playing back scenes including the selected one of the object regions or an object region corresponding to the selected one of the relevant information items ([0059], lines 3 – 5), where it has been interpreted that if the related information could be moving images, said related information could be a scene related to the object or object information.*

As per independent claim 10, Osamu discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video ([0011] – [0012] and [0022]);*
- *displaying the motion video and a pointer for specifying at least one of the object regions and changing a playback speed of the motion video according to a display position of the pointer ([0283]).*

As per independent claim 11, Osamu discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and relevant information items concerning at least several of the object regions ([0011] – [0012] and [0022]);*
- *displaying the object regions when playing back the motion video, specifying at least one object region of the object regions appearing in the frames, and displaying one of the relevant information items that concerns the specified object region even if the object region is specified in an interval between a current frame and its M-frame preceding frame ([0014] – [0016]).*

As per independent claim 13, the claim is for an apparatus for performing the method of claim 1. Thus, claim 13 is rejected on the same grounds as disclosed in the rejection of claim 1.

As per claim 14, and taking into account the rejection of claim 13, the claim is for an apparatus for performing the method of claim 2. Thus, claim 14 is rejected on the same grounds as disclosed in the rejection of claim 2.

As per claim 15, and taking into account the rejection of claim 13, the claim is for an apparatus for performing the method of claim 3. Thus, claim 15 is rejected on the same grounds as disclosed in the rejection of claim 3.

As per claim 16, and taking into account the rejection of claim 15, the claim is for an apparatus for performing the method of claim 4. Thus, claim 16 is rejected on the same grounds as disclosed in the rejection of claim 4.

As per independent claim 17, the claim is for an apparatus for performing the method of claim 5. Thus, claim 17 is rejected on the same grounds as disclosed in the rejection of claim 5.

As per claim 18, and taking into account the rejection of claim 17, the claim is for an apparatus for performing the method of claim 6. Thus, claim 18 is rejected on the same grounds as disclosed in the rejection of claim 6.

As per independent claim 21, the claim is for an apparatus for performing the method of claim 9. Thus, claim 21 is rejected on the same grounds as disclosed in the rejection of claim 9.

As per independent claim 22, the claim is for an apparatus for performing the method of claim 10. Thus, claim 22 is rejected on the same grounds as disclosed in the rejection of claim 10.

As per independent claim 23, the claim is for an apparatus for performing the method of claim 11. Thus, claim 23 is rejected on the same grounds as disclosed in the rejection of claim 11.

As per independent claim 25, Osamu discloses *a hyper-media information providing program stored in a computer readable medium, the program comprising:*

- *means for instructing a computer to acquire object region information items corresponding to a plurality of object regions appearing in a motion video and relevant information items concerning at least several of the object region information items ([0011] – [0012] and [0022]), wherein the means for instructing is the object-region-data generating apparatus;*
- *means for instructing the computer to reconstruct at least several of the object regions corresponding to the object region information items ([0050] and [0277] – [0278]), wherein the means for instructing is the object-region-data generating apparatus;*

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- *means for instructing the computer to display the reconstructed object regions in list form ([0050] and [0277] – [0278]), wherein the means for instructing is the object-region-data generating apparatus;*
- *means for instructing the computer to select at least one object region from the object regions displayed in list form ([0050] and [0279]), wherein the means for instructing is the object-region-data generating apparatus;*
- *means for instructing the computer to display one relevant information item of the relevant information items that concerns the object region selected ([0050] and [0279]), wherein the means for instructing is the object-region-data generating apparatus.*

8. Claims 7, 8, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Palmer (US 5,195,135).

As per independent claim 7, Palmer discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and condition information concerning a display condition of the object regions (column 3, lines 27 – 49), where the object region information items are acquired through the detailed review of the precise regions of each video frame and the condition information is acquired through the classification data of each frame;*

- *displaying and concealing selectively the object regions according to the display condition* (column 7, lines 27 – 40), where the selective displaying and concealing is exhibited by the obscuring of specific regions.

As per independent claim 8, Palmer discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video and condition information concerning a display condition of the object regions* (column 3, lines 27 – 49), where the object region information items are acquired through the detailed review of the precise regions of each video frame and the condition information is acquired through the classification data of each frame;
- *managing objects of the object regions together with features of each of the objects hierarchically with a plurality of layers including a first layer and a second layer lower than the first layer and displaying, when displaying the first layer according to the display condition, the second layer* (column 7, lines 41 – 51), wherein each layer corresponds to a level of censorship or concealment and it is an innate feature of the displaying that if the first layer of censorship or concealment is displayed, it will be displayed over a second, lower layer of censorship or concealment.

As per independent claim 19, the claim is for an apparatus for performing the method of claim 7. Thus, claim 19 is rejected on the same grounds as disclosed in the rejection of claim 7.

As per independent claim 20, the claim is for an apparatus for performing the method of

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claim 8. Thus, claim 20 is rejected on the same grounds as disclosed in the rejection of claim 8.

9. Claims 12 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Efrat et al. (US 6,570,587 B1).

As per independent claim 12, Efrat discloses *a hyper-media information providing method comprising:*

- *acquiring object region information items corresponding to a plurality of object regions appearing in a motion video* (column 16, lines 13 – 16), where it has been interpreted that the defining of hotspots is equivalent to acquiring information pertaining to object regions;
- *designating the object regions selectively* (column 16, lines 49 – 50);
- *determining a display region of the motion video and an enlargement/reduction ratio according to a designated object region and size information of a display unit of a terminal* (column 16, line 60 – column 17, line 7), where it has been interpreted that a resizing algorithm includes ratios for enlargement/reduction as well as object region and size information of the display.

As per independent claim 24, the claim is for an apparatus for performing the method of claim 12. Thus, claim 24 is rejected on the same grounds as disclosed in the rejection of claim 12.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The cited documents represent the general state of the art.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Wiener whose telephone number is 571-270-1401. The examiner can normally be reached on Monday through Thursday from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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